

OFFICIAL TRANSCRIPT OF PROCEEDINGS BEFORE THE POSTAL RATE COMMISSION

In the Matter of:)
CAPITAL ONE NSA EXTENSION) Docket No. MC2006-6

VOLUME #1

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POSTAL RATE COMMISSION

In the Matter of:)
) Docket No. MC2006-6
CAPITAL ONE NSA EXTENSION)

Suite 200
Postal Rate Commission
901 New York Avenue, N.W.
Washington, D.C.

Volume 1
Tuesday, August 15, 2006

The above-entitled matter came on for hearing pursuant to notice, at 2:02 p.m.

BEFORE:

HON. GEORGE A. OMAS, CHAIRMAN
HON. DAWN TISDALE, VICE-CHAIRMAN
HON. RUTH Y. GOLDWAY, COMMISSIONER
HON. TONY HAMMOND, COMMISSIONER

APPEARANCES :

On behalf of the United States Postal Service:

ANTHONY ALVERNO, Esquire
MATTHEW CONNOLLY, Esquire
United States Postal Service
475 L'Enfant Plaza, S.W.
Washington, D.C. 20260
(202) 268-2900

APPEARANCES: (Cont'd.)

On behalf of the Office of the Consumer Advocate:

SHELLEY DREIFUSS, Esquire
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Postal Rate Commission
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On behalf of Capital One Services, Inc.:

TIMOTHY J. MAY, Esquire
Patton Boggs, L.L.P.
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Washington, D.C. 20037
(202) 457-6050

On behalf of the American Postal Workers Union, AFL-CIO:

JENNIFER WOOD, Esquire
O'Donnell, Schwartz & Anderson, P.C.
1300 L Street, N.W., Suite 1200
Washington, D.C. 20005
(202) 898-1707

On behalf of David B. Popkin:

(No Appearance.)

On behalf of Valpak Dealers Association, Inc. and Valpak
Direct Marketing Systems, Inc.:

(No Appearance.)

E X H I B I T S

<u>EXHIBITS AND/OR TESTIMONY</u>	<u>IDENTIFIED</u>	<u>RECEIVED</u>
Direct testimony of Jessica Lowrance on behalf of United States Postal Service, USPS-T-1	7	7

P R O C E E D I N G S

(2:02 p.m.)

CHAIRMAN OMAS: Good afternoon. This is a prehearing conference in Docket No. MC2006-6 concerning the Postal Service request for a recommended decision approving a one-year extension of the Capital One Services, Inc. negotiated service agreement.

I am George Omas, Chairman of the Postal Rate Commission. With me are Vice Chairman Dawn Tisdale, Tony Hammond and Commissioner Goldway.

The reporter in this case is Heritage Reporting Corporation. There are forms for noting appearances available on the table as you enter the hearing room. If you wish to purchase transcripts you should see the reporter after today's conference or call (202) 628-4888.

At this point I would like to ask counsel to identify themselves for the record. United States Postal Service?

MR. ALVERNO: Thank you, Mr. Chairman. Anthony Alverno and Matthew Connolly for the Postal Service.

CHAIRMAN OMAS: Thank you.
Capital One?

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1 MR. MAY: Timothy May from Patton Boggs
2 representing Capital One.

3 CHAIRMAN OMAS: American Postal Workers
4 Union, AFL-CIO?

5 MS. WOOD: Jennifer Wood from O'Donnell,
6 Schwartz & Anderson representing the APWU.

7 CHAIRMAN OMAS: Thank you.

8 Office of the Consumer Advocate?

9 MR. COSTICH: Rand Costich for the OCA.
10 Also appearing is Shelley Dreifuss, director of the
11 office.

12 CHAIRMAN OMAS: David B. Popkin?

13 (No response.)

14 CHAIRMAN OMAS: Valpak Dealers Association,
15 Inc. and Valpak Direct Marketing Systems, Inc.?

16 (No response.)

17 CHAIRMAN OMAS: Is there anyone that I've
18 missed?

19 (No response.)

20 CHAIRMAN OMAS: There being none, the
21 Commission order giving notice of this request
22 recognized the Postal Service request that this case
23 be heard under Commission Rule 197, which provides for
24 expeditious treatment for renewing existing negotiated
25 service agreements.

1 Pursuant to that rule, participants were
2 directed to identify issues that required discovery or
3 hearing. No participants have filed requesting
4 discovery or hearings.

5 Does any participant wish to request
6 discovery or hearings at this time?

7 (No response.)

8 CHAIRMAN OMAS: All right. Therefore, the
9 Commission will proceed to consider the case under
10 Rule 197.

11 Mr. Alverno, is the Postal Service prepared
12 to enter the direct case into the record today?

13 MR. ALVERNO: Yes, Mr. Chairman. We have
14 two copies of the direct testimony of Jessica
15 Lowrance, USPS-T-1, with signed declarations.

16 Mr. Chairman, before I proceed to ask that
17 the Commission receive this testimony into evidence I
18 wish to note that I did have conversations with
19 counsel for Valpak Direct Marketing Systems, and he
20 has allowed me to represent that Valpak does not
21 intend to actively participate in this proceeding,
22 notwithstanding the fact that they filed an
23 intervention notice yesterday.

24 Thank you, Mr. Chairman.

25 CHAIRMAN OMAS: Thank you, Mr. Alverno. You

1 may proceed.

2 MR. ALVERNO: Mr. Chairman, I have two
3 copies of the direct testimony of Jessica Lowrance,
4 USPS-T-1, and in light of the fact that no
5 participants have asked for hearings in this case I
6 would like to move that this testimony be received as
7 evidence at this time.

8 CHAIRMAN OMAS: Is there any objection?

9 (No response.)

10 CHAIRMAN OMAS: Hearing none, the testimony
11 of the Postal Service Witness Lowrance is admitted
12 into evidence.

13 As is our practice, it will not be
14 transcribed.

15 (The document referred to was
16 marked for identification as
17 Exhibit No. USPS-T-1 and was
18 received in evidence.)

19 CHAIRMAN OMAS: Does any participant wish to
20 file a brief in this case?

21 (No response.)

22 CHAIRMAN OMAS: Does any participant wish to
23 be heard before the Commission takes this case under
24 advisement?

25 (No response.)

1 CHAIRMAN OMAS: If there are none, this
2 prehearing conference is adjourned.

3 (Whereupon, at 2:09 p.m. the hearing in the
4 above-entitled matter was concluded.)

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REPORTER'S CERTIFICATE

DOCKET NO.: MC 2006-6
CASE TITLE: Capital One NSA
HEARING DATE: 8/15/06
LOCATION: Washington DC

I hereby certify that the proceedings and evidence are contained fully and accurately on the tapes and notes reported by me at the hearing in the above case before the Postal Rate Commission

Date: 8/15/06

Benedict O. Harbozo

Official Reporter
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